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May 19, 2020

Via ECF

Hon. Victor Marrero
United States District Judge
U.S. Courthouse
500 Pearl Street
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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Re: United States v. Manolo Dones, 19 Cr. 169 (VM)

Dear Judge Marrero:

On behalf of Mr. Dones, we write to request advancement of the date of his sentencing, and to request the Court's assistance in obtaining his medical records.

We request that sentencing, currently scheduled for July 10, 2020, be advanced to either Wednesday, June 3, 2020, or Friday, June 5, 2020, or as close to those dates as possible consistent with this Court's calendar. We seek this advancement because Mr. Dones expects and intends to be prepared for sentencing by early June, and because of the difficult and dangerous conditions at MCC New York, where he is being held. We respectfully request that the sentencing take place via videoconference, pursuant to the April 8, 2020 "Protocol For Attorney Calls And Teleconference Hearings At The MCC, MDC, And GEO." We understand that pursuant to this protocol, all court appearances by MCC inmates must take place on Monday, Wednesday, or Friday mornings. The government has advised that it consents to this application.

We also respectfully request this Court's assistance in obtaining Mr. Dones's medical records from the MCC. These records will provide Mr. Dones the opportunity to review his medical treatment history, and assist us and Mr. Dones in finalizing preparations for his sentencing. Mr. Dones has requested these records himself on multiple occasions from MCC, to no result. Moreover, he informs us that MCC staff have told him that he must make such requests through counsel, despite our understanding that according to ordinary Federal Bureau of Prisons procedures, such records should be made available to Mr. Dones upon his request. Due

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to ongoing issues in the effective and timely transmission of legal mail to and from MCC, we have thus far been unable to obtain the requisite releases to request records on Mr. Dones's behalf, and are not confident that we will be able to obtain them sufficiently before Mr. Dones's sentencing to make appropriate use of them.

For these reasons, we respectfully request that by "so ordering" the attached subpoena, the Court direct the MCC to provide us with copies of any and all of Mr. Dones's medical records in their possession.

Thank you for the Court's consideration of these requests.

Respectfully submitted,

/s/ *Richard F. Albert*

Richard F. Albert

cc: AUSAs Justin Rodriguez and Sebastian Swett (via email and ECF)

The sentencing will be rescheduled as requested and will take place remotely. The Court will issue separate instructions confirming the date and time and instructions on how to access the proceeding.

SO ORDERED.

May 19, 2020

DATE


VICTOR MARRERO, U.S.D.J.